

# Notice of Allowability

Application No.

10/092,382

Examiner

Tho v. Duong

Applicant(s)

FINCH ET AL.

Art Unit

3743

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/10/2005.
2. ☒ The allowed claim(s) is/are 1-3, 5-15, 19, 23, 24 and 32-36.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

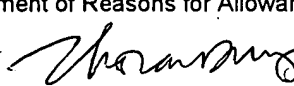
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 12/19/2003.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Tho v Duong  
Primary Examiner  
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## **DETAILED ACTION**

### ***Election/Restrictions***

This application is in condition for allowance except for the presence of claims 26-31 drawn to non-elected groups II and III without traverse filed 11/4/2003. Accordingly, claims 26-31 have been cancelled.

The objection to the drawings sent 7/26/2004 has been withdrawn in view of applicant's Remark filed 11/29/2004.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows: claims 26-31 have been cancelled.

### ***Allowable Subject Matter***

Claims 1-2,5-7,12-13,15,19,23-24 and 32-36 are allowed.

Since claim 1 is allowable and generic to all of the species, the withdrawn claims 3, 8-11 and 14 directed to non-elected species are now rejoined. Therefore, claims 1-3, 5-15,19,23,24 and 32-36 are now allowed.

The following is an examiner's statement of reasons for allowance: the prior art of record either taken singularly or in combination fails to disclose a heat exchanger comprising a plurality of heat transfer plate stacked together; at least one connecting grid comprising a pair of

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connecting grid plates separating the plurality of heat transfer plates into groups of heat transfer plates, and at least one fluid connector extending between the pairs of connecting grid plates; the fluid connector comprising a tubular body having an outwardly directed flange formed integrally form a wall of the tubular body to sealingly connect the tubular body to a fluid channel between a first group of heat transfer plate on one side of the connecting grid via an opening in one of the connecting grid plates wherein the opening is provided in a structural ring received in an aperture in a first connecting grid plate of the pair of connecting grid plates (claims 1, 32,33) and wherein a second outwardly directed flange formed integrally from a wall of the tubular body to sealingly connect the tubular body to a fluid channel between a second group of heat transfer plate on the other side of the connecting grid via an opening in the other of the connecting grid plates (Claims 34 and 35). Reference to Chevallier is the closest prior art to the claimed invention but fails to disclose a second outwardly flange sealingly connect the same tubular body to a fluid channel of the second group on the other side of the connecting grid or to disclose a structural ring received in an aperture in a first connecting grid plate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

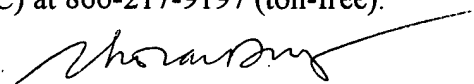
### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho v. Duong whose telephone number is 571-272-4793. The examiner can normally be reached on M-F (first Friday off).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennet can be reached on 571-272-4791. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tho v Duong  
Primary Examiner  
Art Unit 3743

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June 30, 2005